

REMARKS

Favorable reconsideration of the present patent application is respectfully requested in view of the foregoing amendments and the following remarks.

In this Amendment claims 26-27 are added, claims 1, 7, 11 and 14 are amended, and no claims are canceled (claims 4, 9, 18 and 22-24 were previously canceled). As a result, claims 1-3, 5-8, 10-17, 19-21 and 25-27 are now pending in the application. Support for the claim amendments can be found throughout the disclosure, for example, in the originally filed claims and at pages 3 and 10-11 of the specification.

In the non-final Office Action of September 5, 2007, claims 1-3, 5-8, 10-17 and 20-22 are rejected under 35 U.S.C. §103(a) in view of U.S. Patent 6,738,766 (Peng) further in view of U.S. Patent 7,000,015 (Moore) and yet further in view of U.S. Patent 6,976,063 (Dharmarajan). Claims 19 and 25 are rejected under 35 U.S.C. §103(a) in view of Peng further in view of Moore and yet further in view of Dharmarajan and yet even further in view of U.S. Patent 6,581,075 (Guturu).

Claim Amendments

Claim 1 is amended to: (1) incorporate the “identification variable” feature from dependent claim 7; (2) attend to a wording inconsistency between “at least three variables” and “three or more variables”; and (3) change the word “as” to “with” in “for use [[as]] with a wildcard”. Similarly, claims 11 and 14 have been amended to attend to a wording inconsistency between “at least three variables” and “three or more variables”; and to add the “identification variable” feature.

Similar amendments have been made to the other independent claims to incorporate the “identification variable” feature, and to eliminate any inconsistency between the terms “at least three variables” and “three or more variables”.

35 U.S.C. §103 Rejections

The §103(a) rejection of claims 1-3, 5-8, 10-17 and 20-22 in view of Peng / Moore / Dharmarajan and the §103(a) rejection of claims 19 and 25 in view of Peng / Moore / Dharmarajan / Guturu are traversed for at least the following reasons.

In regards to the rejection of claim 1, in some embodiments the preference data records may be stored in a central computer and communicated to other devices.¹ For example, as shown in FIG. 2 the preference data records may be stored in registry 200 of the central repository (computer) 210 and communicated to various other devices such as 240, 242 or 244. The other devices may be PDAs, cellular telephones, web pads, Internet appliances, or the like. (See paragraph [0038] of the specification). This feature is claimed in the application, but none of the documents cited in the pending rejection teach this feature. Claim 1 recites a variable that is a “is a physical location variable relating to a physical location of at least one device other than said computer system” and “communication means for communicating at least one of said default preference data records to said at least one device.” These features have not been addressed in the pending Office Action. **It is respectfully requested either that the pending §103 rejection be withdrawn, or else the next paper from the Office explain how the cited patents are being construed in regard to these features of claim 1.**

¹ See specification, for example, at paragraph [0012] and paragraph [0038].

Claims 11 and 14 recite features similar to those mentioned above in regard to claim 1. For example, claim 11 and claim 14 both recite a “variable relating to a physical location of at least one device other than [a] computer.” The various patent documents cited in the pending Office Action do not teach or suggest these features.

The first cited Peng patent involves systems for providing personalized search results. In response to receiving a keyword search request from a user, the Peng system searches for applications (data or content) based on the keyword in the request in addition to the user’s operation history. In this way, the Peng system claims to be able to take into account personal preferences by the user to provide more personalized search results more likely to include applications (data or content) of particular interest to the user. The Peng patent does not teach or suggest the claim features discussed above involving preference data for a device other than the computer storing the preference data.

The secondarily cited patents do not overcome the deficiencies of Peng. The Moore patent involves a system for discovering the physical location of a computer based on any of several location finding methods. The Dharmarajan patent involves a method of using a global configuration file to dynamically configure a server computer on a per request basis. The Guturu patent involves systems and methods for database synchronization. None of the cited documents disclose or suggest “a physical location variable relating to a physical location of at least one device other than said computer system” and “communication means for communicating at least one of said default preference data records to said at least one device,” as recited in claim 1, or

“variable relating to a physical location of at least one device other than [a] computer,” as recited in each of claims 11 and 14.

Accordingly, Peng, Moore, Dharmarajan, and Guturu, either taken singly or in hypothetical combination, do not teach or suggest the features of the claimed invention. Therefore, withdrawal of the rejection is respectfully requested.

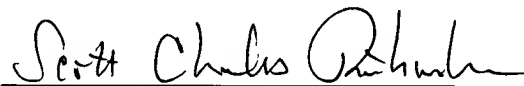
Deposit Account Authorization / Provisional Time Extension Petition

It is believed that no extension of time is required for this filing, and the accompanying Fee Transmittal attends to the required fees. However, to the extent necessary, a Provisional Petition for an Extension of Time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-0439 and please credit any excess fees to such deposit account.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. However, in the event there are any unresolved issues, the Examiner is kindly invited to contact applicant's representative, Scott Richardson, by telephone at (571) 970-6835 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



Scott Charles Richardson
Reg. No. 43,436

The Brevetto Law Group, PLLC
107 S. West Street, #765
Alexandria, VA 22314
telephone: (571) 970-6835

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